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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

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DEVIN E. PETRIDES,

For Online Publication Only

Plaintiff,

-against-

ORDER
20-CV-3730 (JMA)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

-----X
AZRACK, United States District Judge:

Before the Court is the in forma pauperis application filed by pro se plaintiff Devin E. Petrides (“Plaintiff”). For the reasons that follow, the application to proceed in forma pauperis is denied without prejudice and with leave to renew upon completion of the AO 239 Long Form in forma pauperis application (“Long Form”) attached to this Order. Alternatively, Plaintiff may remit the \$400.00 filing fee.

Plaintiff has not answered all of the questions on the form. For example, Plaintiff left blank the question that asks if Plaintiff owns any automobiles, real estate, stocks, bonds, securities, trusts, jewelry, art work or other financial instrument or any other item of value, whether held in Plaintiff’s name or is in someone else’s name. (ECF No. 2 at ¶ 5.) In addition, some of the information provided by Plaintiff is inconsistent. Plaintiff reports that the only income he has received in the past twelve months is \$356/month in SNAP benefits yet he reports that he is “dependent on family members for support” in order to provide for his two children. (Id. at ¶¶ 3, 7.) In addition, although Plaintiff includes a residential address in Lindenhurst, New York, he includes no monthly expenses associated therewith such as rent or mortgage payment, utilities, etc. Plaintiff also includes a telephone number and Plaintiff has not reported any monthly

expenses associated with that telephone number. (Id. at ¶ 6.)

Because the responses provided by Plaintiff do not permit the Court to conclude that Plaintiff is qualified to proceed in forma pauperis, Plaintiff's application is denied without prejudice and with leave to renew upon completion of the long form application enclosed with this Order within twenty-one (21) days from the date of this Order. Alternatively, Plaintiff may remit the \$400.00 filing fee. Plaintiff is warned that his failure to timely comply with this Order may lead to the dismissal of the complaint without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). The Clerk of Court shall mail a copy of this Order to Plaintiff at his address of record.

SO ORDERED.

Dated: December 3, 2020
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE